

**REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN
TUESDAY, OCTOBER 4, 1994 - 7 P.M.
MUNICIPAL COURTROOM - 305 MONROE STREET**

The Mayor and Board of Aldermen of the City of Clinton, Mississippi, met in Regular Meeting on Tuesday, October 4, 1994, 7 P.M., at the Municipal Courtroom, 305 Monroe Street.

WELCOME AND CALL TO ORDER - Mayor Rosemary Aultman

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

Boy Scout Troop #88 members James Williams, J. J. Dafferner, and Chris Smith from First United Methodist Church presented the colours, with Chris Smith leading the Pledge of Allegiance to the Flag. This was followed by the Invocation which was led by Alderman Touchton.

ROLL CALL - City Clerk Nelson Byrd

Present - Jehu Brabham - Alderman-at-Large
O. C. George Ferrell - Alderman Ward 1
Rodney DePriest - Alderman Ward 2
Ben Todd - Alderman Ward 3
Phil Fisher - Alderman Ward 4
Herb Touchton - Alderman Ward 5
Sharbert Lott - Alderman Ward 6
Mayor Rosemary Aultman - Presiding

City Attorney Ken Dreher
City Clerk Nelson Byrd

AGENDA CHANGES

Mayor Aultman requested the Aldermen to make the following changes/corrections to the Consent Agenda: item a: add September 22 minutes to list to be approved; item b: add claims 1-499; at a total of \$129,856.07; item f: change "back hoe" to "track hoe".

APPROVAL OF CONSENT AGENDA ITEMS A-EE:

MOTION made by Alderman Lott and **SECONDED** by Alderman Touchton to approve Consent Agenda Items A-EE as listed on page 837-838 of this Minute Book W, noting that Consent Agenda Items C, D, K, L, & M, will serve to advertise favorably the opportunities, possibilities, and resources of the City of Clinton. Quotes listed in items R & CC are on file in the Office of the City Clerk. **MOTION CARRIED UNANIMOUSLY.**

PUBLIC HEARING ON UNCLEAN LOTS

Mayor Aultman opened the public hearing at 7:10 p.m., asking if anyone were present to address the Board regarding the properties listed on page 840 of this Minute Book W. In the absence of Public Works Director Alderman, Building Inspector Lowther stated that properties listed in #5 and 6 listed to Debra Randle and Debra Butler at 348 and 342 Marchino Drive respectively, had been cleaned, **MOTION** made by Alderman Brabham and **SECONDED** by Alderman Fisher to proceed with the adopted procedure against other properties listed if upon inspection said lots are not cleaned and to clean as the guidelines set by ordinance. **MOTION CARRIED UNANIMOUSLY.**

O.M. SCOTT TURF CARE BID ACCEPTED

Upon the recommendation of P&R Director Arledge to accept the Turf Care Bid of O. M. Scott and Sons Co., Inc., at \$15,358.28 for October 1, 1994 - September 30, 1995, **MOTION** made by Alderman Ferrell and **SECONDED** by Alderman Lott to accept said bid as

presented. **MOTION CARRIED UNANIMOUSLY.** Proof of Publication that bids were properly advertised may be found on page 841 of this Minute Book W. Copy of bid is on file in the Office of the City Clerk.

APPROVAL OF FINAL PLAT FOR PARK RIDGE SUBDIVISION

MOTION made by Alderman DePriest and **SECONDED** by Alderman Brabham to approve the Final Plat of Park Ridge Subdivision including the drainage easement as presented. **MOTION CARRIED UNANIMOUSLY.**

INSURANCE PACKAGE FOR 1994-1995 GRANTED TO TITAN INDEMNITY

MOTION made by Alderman Touchton and **SECONDED** by Alderman Fisher to approve the insurance package as recommended by Insurance Agent of Record Sam Bryson of Bryson, Bailey and Allred, for general liability, auto, property, law enforcement, public officials errors and omissions, and public officials bonds as presented with a \$500,000.00 liability limit at a total cost of \$183,268.00 by the Titan Indemnity Insurance Group covering October 5, 1994 - October 5, 1995. **ROLL CALL VOTE:** Alderman Brabham - "aye", Alderman Ferrell - "nay", Alderman DePriest - "aye", Alderman Todd - "nay", Alderman Fisher - "aye", Alderman Touchton - "aye", and Alderman Lott - "aye". **MOTION CARRIED 5-2.** Copy of said insurance package is on file in the Office of the City Clerk.

REFRESHMENT BREAK HOSTED BY CLINTON MAIDS AND MATRONS CLUB

Mayor Aultman called for a fifteen minute recess at 7:30 p.m., in order to enjoy the delicious refreshments prepared by the Clinton Maids and Matrons Club.

MEETING RESUMES - 7:45 P.M.

Mayor Aultman called the meeting back to order at 7:45 p.m. to resume business.

PROFESSIONAL FEES ADJUSTED FOR WEATHERFORD MCDADE

MOTION made by Alderman Todd and **SECONDED** by Alderman Brabham to adjust the professional fees of Weatherford-McDade for Traceway Park Rough Grading in the amount of \$4,175.00. **MOTION CARRIED UNANIMOUSLY.** Copy of letter of request for adjustment of professional fees from Weatherford-McDade, Ltd., may be found on pages 842-844 of this Minute Book W.

PERMISSION GRANTED TO ADVERTISE FOR P&R BOND ISSUE CONSTRUCTION

MOTION made by Alderman Todd and **SECONDED** by Alderman Lott granting permission to P&R Director Arledge to advertise for bids for construction of projects remaining under P&R Bond Issue. **MOTION CARRIED UNANIMOUSLY.**

DEPRIEST TO SERVE ON CHAMBER BOARD OF DIRECTORS

MOTION made by Alderman Fisher and **SECONDED** by Alderman Brabham to name Alderman Rodney DePriest as the City of Clinton's voting member to serve on the Board of Directors of the Clinton Chamber of Commerce. **MOTION CARRIED UNANIMOUSLY.**

ADJOURNMENT - 7:55 P.M.

There being no further business to discuss, **MOTION** made by Alderman DePriest and **SECONDED** by Alderman Fisher to Recess until October 18, 1994, 7 P.M. **MOTION CARRIED UNANIMOUSLY.**

Copy of Agenda may be found on Pages 837-839 of this Minute Book W.

APPROVED: Rosemary Aultman October 6, 1994
Rosemary Aultman, Mayor Date

ATTEST: Nelson Byrd October 6, 1994
Nelson Byrd, City Clerk Date

SEAL

Public Hearings for Unclean Lots -----

- 1- Robert J. Crechale -- 2862-175-209 -- corner Scotland Road and Cardinal Lane
- 2- James H. Stribling -- 2861-657-486 -- lot 521, Clinton East Inc. -- located on Hathaway Drive
- 3- S.L./ Raksha Sethi -- 2861-263-7 -- corner Broadway/ Hwy 80
- 4- James E. Lowe -- 2862-150-175 --lot 391, Countrywood of Trailwood, Part 5
- 5- Debra Randle -- 2860-325 -- 348 Marchino Drive
- 6- Debra L. Butler -- 2860-326 --342 Marchino Drive

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PROOF OF PUBLICATION
THE STATE OF MISSISSIPPI
HINDS COUNTY

PASTE PROOF HERE

NOTICE TO RECEIVE BIDS
Notice is hereby given that the City of Clinton Parks and Recreation Department will receive sealed bids at the City Hall, 300 Jefferson Street, Clinton, Mississippi at 10:00 a.m. on the 4th day of October, 1994 for the turf care supplies with technical assistance provided from a graduate Agronomist. For specific information concerning products and technical assistance please call Parks and Recreation of 924-6082. The City of Clinton reserves the right to reject all bids or to accept the bids most favorable to the City of Clinton.
Rosemary Aullman, Mayor
Nelson Byrd, City Clerk
September 15, 22, 1994

PERSONALLY appeared before me, the undersigned notary public in and for Hinds County, Mississippi,

Tim Lee,
an authorized clerk of THE CLARION-LEDGER, a daily newspaper as defined and prescribed in Sections 13-3-31 and 13-3-32, of the Mississippi Code of 1972, as amended, who, being duly sworn, states that the notice, a true copy of which is hereto attached, appeared in the issues of said newspaper as follows:

Date September 15, 19 94
Date September 22, 19 94
Date _____, 19____
Date _____, 19____
Date _____, 19____
Number of Lines/Words 24/106
Published 2 Times
Total \$ 14.78
Signed Tim Lee
Authorized Clerk
of The Clarion-Ledger

22 September

SWORN to and subscribed before me the _____ day of _____, 1994.

My Commission Expires:

Marie Mills
Notary Public

NOTARY PUBLIC STATE OF MISSISSIPPI AT LARGE.
MY COMMISSION EXPIRES: Nov. 8, 1996.
BONDED THRU NOTARY PUBLIC UNDERWRITERS.

(SEAL)



AGENDA 10-4-94

11.

Planning Consultants • Landscape Architects

August 29, 1994

Mr. Carroll Arledge, Director
Clinton Parks and Recreation Department
P. O. Box 156
Clinton, MS. 39060

RECEIVED

AUG 30 1994

re: Adjustment of Professional Fees
Traceway Park Rough Grading
WM pn 93118-07

CITY OF CLINTON

Dear Carroll,

As we have discussed, with the numerous "contingencies" that have hit during the process of the County forces rough grading the above referenced site, our scheduled fees for this area of work are almost depleted, and we are not near completion. We are therefore requesting that the City amend the Standard Form of Agreement Between Owner and Architect dated 8/17/93 as follows:

Under Article 11 - Basis of Compensation -

- A. Paragraph 11.2.1: Change the "Maximum Not to Exceed Amount" to \$41,936.00.
- B. Paragraph 11.2.2: For the line item "Rough Grading Administration", change the "Maximum Not to Exceed Amount" to \$13,736.00.

As you will note, this request is for an additional \$4,175.00 be added to Rough Grading Administration scheduled fees. Please remember that fees for this part of the Contract were on an hourly basis and an estimate of the time required was set forth in our Contract. According to our records, with the September 1 billing that you will receive in the near future, Central Mississippi Engineering (our Survey/ Layout Firm) has exceeded their original budget by \$1,530.00. Additionally, please refer to the copy of Mr. Karl Long's letter dated 8/29/94. In this letter, Mr. Long estimates both time and costs of \$2,100.00 to complete the project. This includes completion of the 4-plex area (which is 75% - 80% complete) and the remaining soccer fields across Cynthia Road.

Please understand that we had no intentions of requesting this addition, if we could complete the work without exceeding our budget for this line item. It has worked out thus far that (WM) estimated fees have been less, allowing CME to exceed their amount, and yet not exceed the total for this line item. The reasons for this request are as follows:

1. Time - this project began almost 1 year ago. Work was to be completed within 3 to 4 months, however, wet weather set in and the County convinced all that work could not continue. Thus, the project was re-started this spring.
2. Unforeseen site conditions - as you are aware, once work began it became apparent that areas of the site had an excessive amount of debris buried throughout. In addition, an error from the original survey was discovered, which resulted in a re-design which required the site to be raised 2

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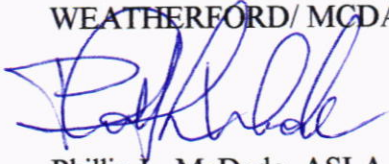
feet which eliminated the debris problems and afforded additional on-site fill materials at no extra cost to the City.

3. County forces are not familiar with site/ contour grading. This type of work is very different to their typical roadway grading. Therefore, an inordinate amount of staking (layout) and supervision to answer questions and provide direction has been required.

4. During the summer months, the site has been plagued with someone removing stakes. This has happened with a frequency that survey crews were needed virtually every morning in order to replace missing stakes!

Due to the fact that County forces are continuing with the work, we will continue to provide the information necessary. We trust that this will satisfactorily answer any questions you may have, however, should you have any additional questions or comments, please advise. Please let us know if and when this is approved by the Board.

Very Truly Yours,
WEATHERFORD/ MCDADE, LTD.



Phillip L. McDade ASLA, CCS
Vice President

Enclosures (2) - Summary of fees to date and CME letter dated 8/29/94

cc: Karl Long P.E.

//.

FEEES RECAP

TRACEWAY PARK CONSTRUCTION
CITY OF CLINTON
WM PN 93118

August 29, 1994

DATE OF ESTIMATED COMPLETION 1994

TOTAL MAX. NOT TO EXCEED FEES \$36,761.00

BREAKDOWN BY PHASE	SCHEDULE	BILLED/PD.	REMAINING
SCHEMATIC (01)	\$.00	\$.00	\$.00
DESIGN DEVELOPMENT (02)	\$6,400.00	\$6,400.00	\$.00
CONTRACT DOCUMENTS (03)	\$11,200.00	\$5,350.00	\$5,850.00
ROUGH GRADING ADMIN. (HRLY.MAX)	\$9,561.00	\$9,393.00	\$168.00 *
BIDDING AND AWARD (04)	\$1,600.00	\$.00	\$1,600.00
PRINTING*	(COST + 15%)	\$.00	\$.00
CONSTRUCTION ADMINISTRATION (05)	\$8,000.00	\$.00	\$8,000.00
TOTAL BILLING TO DATE	\$36,761.00	\$21,143.00	\$15,618.00

* Reflects Central Mississippi Engineering fees for August, but WM,Ltd. fees not included.